

SECOND REGULAR SESSION

SENATE BILL NO. 977

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR STOLL

Pre-filed December 23, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

2799S.01I

AN ACT

To repeal section 104.1045, RSMo, and to enact in lieu thereof two new sections relating to public retirement systems.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 104.1045, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 104.613 and 104.1045, to read as follows:

104.613. Effective August 28, 2004, the cost-of-living adjustment (COLA) for special consultants eligible pursuant to the provisions of section 104.612 shall be one hundred percent of the consumer price index for all adjustments on or after September 1, 2004, but not more than five percent of the annuity amount payable immediately before the payment of the COLA.

104.1045. 1. Each person receiving an annuity shall be entitled to a cost-of-living adjustment (COLA) when there are increases in the consumer price index. The COLA shall be made annually beginning twelve months after the annuity starting date and shall be equal to eighty percent of the increase in the consumer price index, but not more than five percent of the annuity amount payable immediately before the payment of the COLA provided that COLAs payable to a beneficiary shall commence during the month of the anniversary of the member's annuity starting date.

2. For the purposes of this section, an increase in the consumer price index shall be determined in January of each year, based upon the percentage increase of (a) the consumer price index for the preceding calendar year determined by dividing the sum of the monthly consumer price index values by

twelve, over (b) the corresponding index for the next earlier calendar year. Any COLA so determined cannot be less than zero and shall be applied in calculating any COLA that becomes payable under this section during the calendar year in which January falls. Any surviving spouse, beneficiary, or former spouse receiving all or part of an annuity shall be eligible for such COLAs as provided herein.

3. Effective August 28, 2004, the COLA shall be one hundred percent of the increase in the consumer price index for all adjustments on or after September 1, 2004, but not more than five percent of the annuity amount payable immediately before the payment of the COLA.

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